

**B O I E S , S C H I L L E R & F L E X N E R L L P**

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October 5, 2016

**BY ECF AND EMAIL**

Hon. Andrew L. Carter, Jr.  
United States District Judge  
40 Foley Square, Room 435  
New York, New York 10007

Re: *James Rist v. HSBC Securities (USA) Inc.*,  
No. 14 CV 6503 (ALC) (AJP)

Dear Judge Carter:

I write on behalf of Defendant HSBC Securities (USA) Inc. and with the permission of Plaintiff in the above-captioned case to respectfully request that the Court adjourn the current December 5, 2016 trial date set by the Court's April 13, 2016 Order (Dkt. 77). As the Court is aware, the trial in a related matter, *Michael Picarella v. HSBC Securities (USA) Inc.*, No.14-CV-4463, was also scheduled to begin on December 5 at the April 12 status conference, with the understanding that it would be tried first. The parties anticipate that the *Picarella* trial will require seven trial days. Because the parties expect the *Picarella* trial to go forward, and because a number of relevant filing dates for the *Rist* case are approaching, the parties respectfully request that trial in the *Rist* case be reset to another date a reasonable time after the conclusion of the *Picarella* trial.

Should the Court consent to the parties' request for an adjournment, the parties will jointly propose and request a revised pre-trial scheduling order within seven days after the Court's order setting a new trial date.

Respectfully submitted,



Randall W. Jackson

cc: James R. Hubbard, Esq. (by email)